

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the following remarks. Claims 1-15 are in the application. Claims 1-14 have been withdrawn. Claims 16-20 have been canceled. No new matter has been added.

The Examiner rejected claims 17, 19 and 20 under 35 USC §112 for being inconsistent with claim 15. Applicant has canceled claims 17, 19 and 20.

The Examiner rejected claim 15 under 35 USC §103 as being unpatentable over Mitchell in view of Hume and Lewis. Applicant respectfully traverses.

The Examiner states that Lewis teaches the production of the concrete pipe comprising the steps of pivoting a mold mantle, which stands essentially vertically on a turntable into a first stand and distributing and compacting the concrete mixture in the mold mantle by a rotating and vertically displaceable first compacting tool. However, Lewis teaches a method for the production of concrete pipes by the centrifugal method. i.e. by

rotating the pipes around a horizontal axis (see column 2, lines 53 to 55 and column 4. line 38).

However, the Examiner is not correct in asserting that Mitchell teaches a method for the production of multi layer concrete pipe. As can be seen from the drawings and the description, Mitchell describes a method for producing a single layer concrete pipe.

Taking this into account, one of ordinary skill could not use the teachings of Mitchell to produce a multi layer concrete pipe. If one skilled in the art would have combined Mitchell and Lewis (with Lewis teaching the production of a multi layer pipe) it would have been prima facie obvious to produce a multi layer pipe by the centrifugal method as mentioned in Lewis. There is no indication of producing a multi layer pipe standing essentially vertically on a turntable and using a compacting tool which is rotating and vertically displaceable. In other words, combining Lewis and Mitchell would lead to the production of a multi layer pipe as described in Lewis. Neither Mitchell nor Lewis teaches one of skill in the art to use a second charging system or a second compacting tool.

The same is true taking further into account the teaching of Hume. Hume neither teaches the production of a multi layer concrete pipe nor the use of a second charging system and a second compacting tool. Hume does not even teach the use of a turntable as mentioned in Mitchell. Thus, Hume seems to be of minor relevance with respect to present claim 15.

In the first paragraph of page 4 of the Office Action, the Examiner states that the core as shown in Hume being detachably connected to the rod should be interpreted as a quick-connect. This is not true, either: on page 2, line 50 Hume teaches that the distributing core may be screwed to the upper end of a rod. Attachment and detachment of a distributing core to a rod by means of a screwed connection would take a considerably long time for exchanging the tool for another tool.

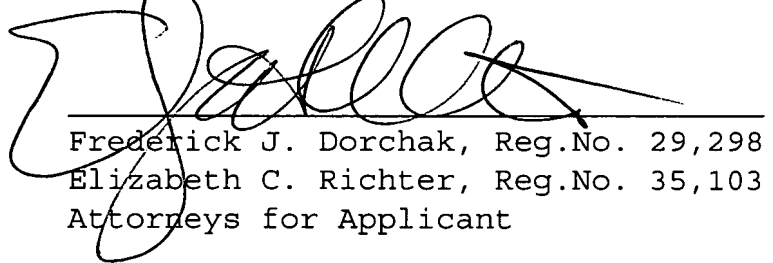
When considering the present invention, one has to bear in mind that it is essential to produce as many pipes per day as possible. Thus, one skilled in the art would try to avoid any extra split second for exchanging a tool, as the number of pipes produced per day would significantly decrease if the exchanging of tools would take too long. In other words, a screwed connection would take more time to attach and detach than the

production of whole pipe with the method of the present invention. Thus, Hume clearly does not disclose a quick change device for exchanging tools. When looking at Hume, one further has to bear in mind that there is no need to provide a quick change device for the Hume method as it is not necessary to change the distributing core.

Accordingly, even a combination of Mitchell, Hume and Lewis does not lead to a method as defined in claim 15.

Accordingly, Applicant submits that claim 15 is patentable over the cited references, taken either singly or in combination. Early allowance of the claims is respectfully requested.

Respectfully submitted,
Gunter SCHILLER



Frederick J. Dorchak, Reg.No. 29,298
Elizabeth C. Richter, Reg.No. 35,103
Attorneys for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

ECR:cmm

Enclosure: Copy of Petition for Three-Month Extension of Time,
Check in the amount of \$510.00

I hereby certify that this documentation is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP: RCE, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA on May 8, 2007.



Ingrid Mittendorf